IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE

IN RE:	)	
	)	**Case No. 3:16-02698**
ROBIN MARK HEMPHILL and	)	**Chapter 11**
STEPHANIE SAED LANNOM,	)	**Judge Randal S. Mashburn**
	)	
Debtors.	)	

THE DEADLINE FOR FILING A TIMELY RESPONSE IS: DECEMBER 19, 2016
IF A RESPONSE IS TIMELY FILED, THE HEARING WILL BE: DECEMBER 20, 2016
AT 9:00 A.M., IN COURTROOM 1, SECOND FLOOR, CUSTOMS HOUSE,
701 BROADWAY, NASHVILLE, TENNESSEE 37203

NOTICE OF MOTION FOR APPROVAL OF AGREED ORDER RESOLVING MOTION FOR RELIEF AND AUTHORIZING THE PAYMENT OF ONGOING MORTGAGE PAYMENTS

The Debtors have asked the Court for the following relief:

ENTRY OF AN AGREED ORDER ON SELECT PORFIOLIO SERVICING, INC'S MOTION FOR RELIEF FROM STAY AND AUTHORIZING THE PAYMENT OF ONGOING MORTGAGE PAYMENTS

YOUR RIGHTS MAY BE AFFECTED. If you do not want the court to grant the attached motion by entering the attached order, or if you want the court to consider your views on the motion, then on or before the response date stated above, you or your attorney must:

1. File with the court your response or objection explaining your position. Please note: the Bankruptcy Court for the Middle District of Tennessee requires electronic filing. Any response or objection you wish to file must be submitted electronically. To file electronically, you or your attorney must go to the court website and follow the instructions at: <https://ecf.tnmb.uscourts.gov>.

If you need assistance with Electronic Filing you may call the Bankruptcy Court at (615) 736-5584. You may also visit the Bankruptcy Court in person at: 701 Broadway, 1st Floor, Nashville, TN (Monday - Friday, 8:00 A.M. - 4:00 P.M.).

2. Your response must state the deadline for filing responses, the date of the scheduled hearing and the motion to which you are responding.

If a response is filed before the deadline stated above, the hearing will be held at the time and place indicated above. **THERE WILL BE NO FURTHER NOTICE OF THE HEARING DATE.** You may check whether a timely response has been filed by viewing the case on the court's website at <https://ecf.tnmb.uscourts.gov>.

If you or your attorney does not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter the attached order granting that relief.

Date: December 9, 2016 Signature: **/S/ STEVEN L. LEFKOVITZ**

Steven L. Lefkovitz, No. 5953

Attorney for Debtor
618 Church Street, Suite 410
Nashville, Tennessee 37219
Phone: (615) 256-8300
Fax: (615) 255-4516
Email: slefkovitz@lefkovitz.com

/s/ Bret J. Chaness (by permission)
BRET J. CHANESS (BPR # 31643)
RUBIN LUBLIN TN, PLLC
3145 Avalon Ridge Place, Suite 100
Peachtree Corners, GA 30071
(678) 281-2730 (Telephone)
(404) 921-9016 (Facsimile)
bchaness@rubinlublin.com
Attorney for Select Portfolio Servicing, Inc.

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE

IN RE:	)	
	)	**Case No. 3:16-02698**
ROBIN MARK HEMPHILL and	)	**Chapter 11**
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	)	
Debtors.	)	

MOTION TO APPROVE AGREED ORDER RESOLVING MOTION FOR RELIEF AND AUTHORIZING THE PAYMENT OF ONGOING MORTGAGE PAYMENTS

Comes the Debtors, Robin Mark Hemphill and Stepahmie Saed Lannom and Select Portfolio Servicing, Inc. (hereinafter "SPS"), move the Court to approve an agreed order authorizing the Debtor to make his ongoing mortgage payments to the Servicer:

1. The Agreed Order provides that SPS's Motion for Relief from Stay [Doc. 25] is denied without prejudice.

2. The Agreed Order further provides authorization for the Debtor to resume making their ongoing mortgage payments by Debtor to SPS for his principal place of residence securing the loan.

3. This motion serves as an opportunity for any other creditors or parties of interest to object to the Agreed Order.

WHEREFORE, these Movants request that the Court enter an order approving the Agreed Order for Authorizing the Payment of Ongoing Mortgage Payments.

Respectfully submitted,

/s/ STEVEN L. LEFKOVITZ
Steven L. Lefkovitz, No. 5953
Attorney for Debtors-in-possession
618 Church Street, Suite 410
Nashville, Tennessee 37219
Phone: (615)256-8300
Fax: (615) 255-4516

Email: slefkovitz@lefkovitz.com

/s/ Bret J. Chaness (by permission)
BRET J. CHANESS (BPR # 31643)
RUBIN LUBLIN TN, PLLC
3145 Avalon Ridge Place, Suite 100
Peachtree Corners, GA 30071
(678) 281-2730 (Telephone)
(404) 921-9016 (Facsimile)
bchaness@rubinlublin.com
Attorney for Select Portfolio Servicing, Inc.

CERTIFICATE OF SERVICE

A true and exact copy of the foregoing has been sent to Beth Roberts Derrick, Assistant U.S. Trustee, 318 Customs House, 701 Broadway, Nashville, Tennessee 37203 and to all other Creditors and Parties of Interest via the U.S. Bankruptcy Court's Electronic Filing System by on the 9th day of December, 2016.

/s/ Steven L. Lefkovitz

PROPOSED ORDER

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE

IN RE:	)	
	)	**Case No. 3:16-02698**
ROBIN MARK HEMPHILL and	)	**Chapter 11**
STEPHANIE SAED LANNOM,	)	**Judge Randal S. Mashburn**
	)	
Debtors.	)	

AGREED ORDER RESOLVING MOTION FOR RELIEF FROM THE AUTOMATIC STAY AND AUTHORIZING THE PAYMENT OF ONGOING MORTGAGE PAYMENTS

This matter is before the Court on the Motion for Relief from the Automatic Stay (the "Motion"), filed on August 8, 2016, by Select Portfolio Servicing, Inc. as servicer for Wells Fargo Bank, N.A., as trustee, on behalf of the holders of the HarborView Mortgage Loan Trust Mortgage Loan Pass-Through Certificates, Series 2006-12 ("SPS"). [Doc. 24]. The Motion came before the Court for a final hearing on December 6, 2016, at which the Parties agreed to submit an Agreed Order resolving the Motion. It appearing to the Court, as is evidenced by the signatures of respective counsel of record below, that the parties have agreed to resolve the Motion and stipulate to the following:

1. Wells Fargo Bank, N.A., as trustee, on behalf of the holders of the HarborView Mortgage Loan Trust Mortgage Loan Pass-Through Certificates, Series 2006-12 is the entity entitled to enforce the promissory note and deed of trust evidenced in Claim No. 9. The subject deed of trust encumbers the real property located at **1029 DORSET DR, HENDERSONVILLE, TN 37075** (the "Property").
2. The Property is the Debtor's principal place of residence, and therefore is subject to 11 U.S.C. §1123(b)(5).
3. The Parties agree that the Motion should be denied without prejudice.
4. The Parties agree that the Debtor may resume making the ongoing monthly mortgage payments in the amount of $2,014.45, commencing January 1, 2017 with a like amount due on the 1st day of each consecutive month thereafter. The payment represents the ongoing principal and interest payment due under the loan as well as an escrow component to pay for taxes and insurance that may change from time to time over the life of the loan.
5. The evidence provided at the hearing on the motion for relief on December 6, 2017 established that the Debtors are current on all ongoing operating and administrative expenses.
6. Debtors believe that they will have the ability to propose a Chapter 11 Plan of Reorganization within approximately sixty (60) days and that by resuming the ongoing monthly mortgage payments they will be able to reduce the amount necessary to fund the plan on monthly basis which will make the proposed plan more feasible and increase the likelihood of success.

The Court accepts the above stipulations, and hereby **ORDERS** as follows:

1. The Motion is **DENIED WITHOUT PREJUDICE**; and

2. The Court finds that it is appropriate for the Debtor to resume making his regular post-petition monthly mortgage payments to SPS, and that such payments are authorized. SPS's claim is secured only by the Debtor's principal residence, and all arrearages must be paid in full through the Debtor's forthcoming plan. *See* 11 U.S.C. §1123(b)(5). The Court would be unable to confirm the plan absent such a provision. *See* 11 U.S.C. §1129(a)(1). If the Debtor is unable to continue make his monthly mortgage payments, the increasing arrearage raises the chances that a plan will be unfeasible. As such, the Debtor is authorized to resume making the ongoing monthly mortgage payments in the amount of $2,014.45, commencing January 1, 2017, with a like amount due on the 1st day of each consecutive month thereafter. The payment represents the ongoing principal and interest payment due under the loan as well as an escrow component to pay for taxes and insurance that may change from time to time over the life of the loan.

IT IS SO ORDERED.

# # #

THIS ORDER WAS SIGNED AND ENTERED ELECTRONICALLY AS INDICATED AT THE TOP OF THE FIRST PAGE.

CONSENTED TO AND APPROVED FOR ENTRY:

/s/ STEVEN L. LEFKOVITZ
Steven L. Lefkovitz, No. 5953
Attorney for Debtors-in-possession
618 Church Street, Suite 410
Nashville, Tennessee 37219
Phone: (615)256-8300
Fax: (615) 255-4516
Email: slefkovitz@lefkovitz.com

/s/ Bret J. Chaness (by permission)
BRET J. CHANESS (BPR # 31643)
RUBIN LUBLIN TN, PLLC
3145 Avalon Ridge Place, Suite 100
Peachtree Corners, GA 30071
(678) 281-2730 (Telephone)
(404) 921-9016 (Facsimile)
bchaness@rubinlublin.com
Attorney for Select Portfolio Servicing, Inc.